



**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**CURTIS LAMONT McCOY,**

Petitioner,

v.

Civil Action No. **3:13CV857**

**DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS,**

Respondent.

**ORDER**

In accordance with the accompanying Memorandum Opinion, it is hereby ORDERED that:

1. McCoy's Objections are OVERRULED.
2. The Report and Recommendation is ACCEPTED and ADOPTED.
3. Respondent's Motion to Dismiss (ECF No. 6) is GRANTED.
4. McCoy's Motion for a Temporary Restraining Order (ECF No. 14) is DENIED.
5. McCoy's claims and the action are DISMISSED.
6. The Court DENIES a certificate of appealability.

Should McCoy desire to appeal, a written notice of appeal must be filed with the Clerk of the Court within thirty (30) days of the date of entry hereof. Failure to file a notice of appeal within that period may result in the loss of the right to appeal.

The Clerk is DIRECTED to send the Memorandum Opinion and Order to McCoy and counsel of record.

And it is so ORDERED.

Date: *3-11-15*  
Richmond, Virginia

                    /s/                      
**James R. Spencer**  
Senior U. S. District Judge